

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2014-116504-001 DT

03/09/2015

HONORABLE WARREN J. GRANVILLE

CLERK OF THE COURT

B. Navarro

Deputy

STATE OF ARIZONA

GREGORY R BIZZOZERO

v.

NICHOLAS XAVIER BANKSON (001)

DOB: September 10, 1996

LAURA MEYERS GLASS-HESS

APO-SENTENCE IMPRISON-CCC

APPEALS-CCC

AZ DOC

DISPOSITION CLERK-CSC

RFR

SENTENCE OF IMPRISONMENT

9:40 a.m.

Courtroom 6A SCT

State's Attorney: Gregory R. Bizzozero

Defendant's Attorney: Laura Glass-Hess

Defendant: Present

Court Reporter, Rochelle Dobbins, is present.

A record of the proceeding is also made by audio and/or videotape.

Olga Bankson, the Defendant's mother, presents statements to the Court.

Stella Reyes, the Defendant's aunt, presents statements to the Court.

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Nancy Chavarria, the Defendant's aunt, presents statements to the Court.

Gene Bankson, the Defendant's father, presents statements to the Court.

Leticia Chavez, presents statements to the Court on behalf of the Defendant.

Count(s) 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 2: THREATENING OR INTIMIDATING

Class 3 Felony With One Prior Felony Conviction

A.R.S. § 13-1202, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-703, and 13-801

Date of Offense: April 5, 2014

Non Dangerous - Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 2: 4.5 year(s) from March 9, 2015

Presentence Incarceration Credit: 334 day(s)

Minimum

Sentence is concurrent with CR 2012-165041-001.

Pursuant to A.R.S. § 13-703 or 13-704, the Court finds that the Defendant has been convicted of the following prior felony offenses:

Possession of Burglary Tools, a class 6 non-dangerous felony committed on December 25, 2012 and convicted on October 25, 2013 in CR 2012-165041-001 in the Maricopa County Superior Court, Arizona.

The Defendant was represented by counsel.

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

ASSESSMENTS:

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Count 2: PROBATION ASSESSMENT: \$20.00.

The Court retains jurisdiction for any future restitution hearings.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforesponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Community Supervision: Count 2 - Waived pursuant to A.R.S. § 13-603(K), due to the term of probation in CR 2011-143851-006.

In the event the Defendant is released by the Department of Corrections on a temporary release basis, and a term of Community Supervision has been waived, the length of probation shall be extended to include the time of Defendant's temporary release, pursuant to A.R.S. §13-901(B).

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

IT IS ORDERED granting the Motion to Dismiss the following: Counts 1, 3-5, the allegation of remaining prior convictions, gang allegation, and allegation of offense committed while on probation.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The presentence investigation report is filed under this cause number.

10:00 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

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ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE WARREN J. GRANVILLE
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)